

THE HONOURABLE SRI JUSTICE V. ESWARAI AH

WRIT PETITION No.21952 OF 1995

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DATED: 17-10-2006
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BETWEEN

D.S. Ramachandramurty,
S/o. Kanaka Basavaiah,
Working as Helper (under supervision)
R/o. Pothireddypalli, Nuzvid Rural Mandal,
Krishna District.

...PETITIONER

AND

The Divisional Electrical Engineer,
Operations, Gudivada, Krishna District
and another.

...RESPONDENTS

ORDER:

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Petitioner questions the action of the first respondent in keeping him under suspension by order dated 06.06.1995 as illegal and arbitrary and seeks a direction to the respondents to allow him to continue to work as Helper i.e. Employee of the Electricity Board notwithstanding the pendency of the criminal charge against him.

It is stated that the pursuant to the pendency of the criminal case in Cr.No.1 and 5 of 1995 under Section 379 of the Indian Penal Code, 1860, the petitioner was placed under suspension. However, a perusal of the record goes to show that this Court by order dated 28.09.1995 directed the respondents to pay the subsistence allowance to the petitioner in accordance with the regulations.

If the guilt of the petitioner for committing theft is proved, no doubt, the respondents can take action against him but it is not known as to what happened to the said criminal case.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the respondents to complete the enquiry and pass appropriate orders, if not already passed, pursuant to the result and outcome of the criminal case, in accordance with law without any further delay. There shall be no order as to costs.

October 17, 2006
DSK

V. ESWARAI AH, J